

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CAROL KAY LAWTON,

Plaintiff,

v.

Case No: 08-4080-SAC

GENE HIGGINS, and
BMI,

Defendants.

MEMORANDUM AND ORDER

This case comes before the court on plaintiff's motion for order, Dk. 47.¹ Although the nature of relief plaintiff seeks by this motion is unclear, it appears that the motion seeks relief from the judgment entered November 4, 2008. Dk. 41.

Plaintiff's motion presents no facts not previously presented to the court and relevant to the court's decision. Dk. 40. Plaintiff has previously filed and the court has previously denied a motion to reconsider its judgment, and a motion for relief from that judgment. See Dk. 42; 45; 46. The present motion is denied for the same reasons set forth by the court in

¹The document is captioned, "MOTION TO PRESENT JOURNAL OF 10/14/08 CLERK DID 'NOT KEEP AND FILE and allowance of the defendant to say he had a judgement when this is not true."

its previous orders relating to the judgment. See Dk. 40, 46.

In the event the plaintiff files another document based on the same allegations or grounds that have already been decided in the court's prior orders, the court will not hesitate to impose filing restrictions upon the plaintiff, including the requirement that the plaintiff seek leave of the court to file other such motions. Plaintiff has no other recourse with this court, and the normal course by which to disagree with the court's decision, which is final, is to appeal.

IT IS THEREFORE ORDERED that plaintiff's motion for order (Dk. 47) is denied.

Dated this 8th day of January, 2009, Topeka, Kansas.

s/ Sam A. Crow
Sam A. Crow, U.S. District Senior Judge